

Message Text

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ACTION EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 RSC-01 TRSE-00

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R 261305Z APR 74

FM AMCONSUL MUNICH

TO SECSTATE WASHDC 4987

INFO AMEMBASSY BONN

UNCLAS MUNICH 0643

EXCON FOR COMMERCE

E.O. 11652: N/A

TAGS: ESTC, GW

SUBJECT: ACCEPTANCE OF FC-843 MULTIPLE TRANSACTION STATEMENT
FROM DORNIER REPARATURWERFT

1. POST HAS REQUEST FOR CLARIFICATION OF EXCON REGULATIONS FROM DORNIER REPARATURWERFT GMBH., 8031 OBERPFAFFENHOFEN, POST WESSLING, F.R.G. SUBJECT FIRM IS AIRPLANE REPAIR STATION IMPORTING MANY OF ITS PARTS FROM THE U.S. DORNIER AND ITS U.S. SUPPLIER, RCA, HAVE BEEN USING THE MULTIPLE TRANSACTION STATEMENT, FORM FC-843, FOR THEIR CONTROLLED COMMODITIES, AND UNDER SECTION 5 OF THIS FORM, DORNIER HAS STATED IT MAY RE-EXPORT THESE COMMODITIES IN THE FORM RECEIVED TO AUSTRIA, SPAIN, SWITZERLAND, ITALY AND YUGOSLAVIA. TWO PROBLEMS FACING FIRM NOW ARE: (1) FORM FC-843, COMPLETED AND MAILED TO RCA ON 29 JANUARY 1974, AND FORWARDED TO USDOC BY RCA ON 5 MARCH, HAS NOT BEEN ACCEPTED BY USDOC. IT IS NOTEWORTHY THAT DORNIER HAS NOT SUBMITTED FORM FC-43, STATEMENT BY FOREIGN IMPORTER OF VESSEL AND AIRCRAFT REPAIR PARTS. POST HAS ADVISED THEM THIS MAY BE THE REASON FOR THE DELAY IN APPROVING THEIR FC-843 REQUEST, AND DORNIER HAS STATED THEY WILL FILE FC-43 IMMEDIATELY.

2. OTHER MAIN PROBLEM IS THAT RCA HAS ADVISED DORNIER THAT, IN ANY CASE, FURTHER PERMISSION TO RE-EXPORT IS REQUIRED AND UNCLASSIFIED

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THAT THE MERE LISTING OF COUNTRIES UNDER SECTION 5, FORM FC-843,

AS RE-EXPORT DESTINATIONS, DOES NOT CONSTITUTE PERMISSION TO RE-EXPORT TO THESE COUNTRIES, EVEN THOUGH THE FORM HAS BEEN ACCEPTED BY USDOC.

3. DORNIER NOW HAS AIRCRAFT FROM THESE OTHER COUNTRIES IN FOR REPAIR AND BELIEVES IT LIKELY THAT U.S. COMPONENTS WILL BE NEEDED TO COMPLETE THE WORK. ACCORDINGLY, AUTHORIZATION TO RE-EXPORT THESE COMMODITIES TO NAMED COUNTRIES IS REQUESTED BY TELEGRAM. SINCE ULTIMATE DESTINATION OF THESE COMMODITIES DEPENDS ON DEMANDS MADE ON DORNIER FOR REPAIRS, WHICH IS ALWAYS UNCERTAIN, POST ALSO REQUESTS GUIDANCE IN DEALING WITH SUCH PROBLEMS IN THE FUTURE - FOR DORNIER AND OTHER STATIONS OPERATING AS APPROVED SHIP/PLACE REPAIR STATIONS. SPECIFIC CLARIFICATION OF SECTIONS 373.8(C)-1 & 2, 373.8(D) AND 375.2(E) - 5 OF EXPORT CONTROL REGS WOULD BE APPRECIATED.

4. FURTHER INFORMATION ON DORNIER IS AVAILABLE IN WTDR SENT FROM THIS POST ON MARCH 30, 1973.SPIVACK

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